

TECHNICAL MEMORANDUM

Utah Coal Regulatory Program

October 31, 2005

TO: Internal File

THRU: Pamela Grubaugh-Littig, Permit Supervisor

FROM: Jerriann Ernstsens, Ph. D., Environmental Specialist, Biologist

RE: Bat Survey for Pace Canyon, Canyon Fuel Company, Dugout Canyon, C/007/0039, Task #2309

SUMMARY:

The Division received the baseline survey results "Bat Survey Report, Canyon Fuel Company, Dugout Mine, Pace Creek Canyon" (June 2005). The Division required this survey prior to construction of the Pace Canyon Fan portal. The review resulted in slight changes to the Master TA.

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TECHNICAL ANALYSIS:

FISH AND WILDLIFE RESOURCE INFORMATION

Regulatory Reference: 30 CFR 784.21; R645-301-322.

Analysis:

GENERAL WILDLIFE

Bats

The submittal meets the requirements of R645-301-322 because it provides the required baseline survey results for the Pace Canyon fan portal project. The survey also overlaps into the SITLA lease area that includes Pace Creek.

When the Permittee is required to conduct bat surveys, the Permittee will focus on all Utah sensitive bat species and conduct all bat surveys between May and September. The Permittee will consult with the Division if baseline surveys are positive for bats and operations significantly impact bat habitat. The Permittee may need to conduct a follow up survey and implement a mitigation project (Vol. 1, Sec. 322, p. 3-17).

The Permittee conducted a bat survey near the Pace Canyon fan breakout (May 2005; Vol. 3, App. 3-3). The results were positive for bats. There were no TE species observed, but there was one sensitive species (fringed myotis) observed primarily at a pond near survey site "Stop 7". The Permittee will consult with the Division if operations result in subsidence that significantly impacts the flow for spring site PC1A (this spring feeds the pond near Stop 7; Phone contact Jerriann Ernsten and Vicky Miller 10312005). The Permittee may need to conduct a follow up survey and implement a mitigation project.

Findings

Information provided in the plan meets the minimum Environmental - Fish and Wildlife Resource Information requirements of the regulations.

RECOMMENDATIONS:

The submittal is adequate to meet the Division's requirement for a baseline survey for bats.